

# JOURNAL OF THE SENATE

194

Friday, April 24, 1959

The Senate convened at 11:00 o'clock A.M., pursuant to adjournment on Thursday, April 23, 1959.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kickliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

—38.

A quorum present.

The following Prayer was offered by the Senate Chaplain, Reverend L. B. Thomason:

Our Father, there are times when we are honestly perplexed and do not know just which side to take on an issue. In our choices, Father, help us not to ask, "Will it work?" but rather, "Is it right?"

Help us to know that when we are willing to listen to Thee, Thou art more than eager to speak to us.

As we come to the close of this week, give each of us a safe, enjoyable, God-protected and God-centered weekend. In Jesus Name. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Monday, April 20, 1959, was further corrected as follows:

Page 103, column 2, line 22, strike out the word "Florida" and insert in lieu thereof the word "Floride."

Also—

Page 105, column 2, line 33, following the word "circuit" and before the word "to" insert the word "court"

Also—

Page 107, column 1, line 19, strike out the word "court."

And as further corrected was approved.

The Senate daily Journal of Tuesday, April 21, 1959, was further corrected as follows:

Page 144, column 1, strike out lines 27, 28 and 29, and insert in lieu thereof the following:

"So Senate Bill No. 73 passed, as amended."

And as further corrected was approved.

The Senate daily Journal of Wednesday, April 22, 1959, was further corrected as follows:

Page 147, column 2, line 12, following the word "in" and before the word "his" insert the following:

"the event of a change in the classification of any member during"

Also—

Page 149, column 1, line 6, counting from the bottom of the column, strike out the word "of" and insert in lieu thereof the word "by."

Also—

Page 160, column 2, line 30, following the word "auctioneer" strike out the word "of" and insert in lieu thereof the word "or."

And as further corrected was approved.

The Senate daily Journal of Thursday, April 23, 1959, was corrected and as corrected was approved.

## REPORTS OF COMMITTEES

Senator Adams, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

S. B. No. 213—A bill to be entitled An Act relating to the sale of spirituous liquors; requiring distributors to file schedules of minimum consumer retail prices with the Director of the Beverage Department; empowering the director to adopt such schedules as rules or regulations in any county or counties of the State when appropriate or necessary to prevent the evils of "price wars" or excessive cutting of retail prices of spirituous liquors; levying and providing for the collection of a special tax on the sale at retail of spirituous liquors sold in package for consumption off premises; providing that such tax be inseverable from the remainder of this Act; providing for the enforcement of this Act and setting the effective date.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Adams, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bills:

S. B. No. 81—A bill to be entitled An Act relating to privilege taxes on the sale, use and storage for use or consumption of tangible personal property, on admissions and the rental of tangible personal property and certain real property; amending Subsection (4) of Section 212.15, Florida Statutes, by providing for appeals from Comptroller's decision to certain Circuit Courts and giving the taxpayer the choice of venue; providing an effective date.

S. B. No. 92—A bill to be entitled An Act relating to taxation; amending Section 193.25, Florida Statutes, relating to the completion of assessment roll, equalization of assessments, and public meeting to hear complaints; by providing for written notice of increased assessments to owner or agents of property together with written notice of meetings; providing an effective date.

S. B. No. 138—A bill to be entitled An Act relating to the "Secondary Roads Assistance Act of 1949," amending Subsections (3), (12), (13) and (16) and repealing Subsection (14) of Section 208.44, Florida Statutes, and providing an effective date.

—and recommends that the same not pass.

And the Bills contained in the preceding report were laid on the table.

Senator Ripley, Chairman of the Committee on Game and Fisheries, reported that the Committee had carefully considered the following Bill:

S. B. No. 212—A bill to be entitled An Act providing authority for the United States to acquire land, water or land and water, within the state for fish and wildlife management, protection and propagation purposes; providing for prior notice of acquisition plans and purposes to be given to the trustees of the Internal Improvement Fund and the Game and Fresh Water Fish Commission; providing for approval of such acquisition and plans by the trustees of the Internal Improvement Fund and the Game and Fresh Water Fish Commission; providing for the United States to exercise limited jurisdiction over such lands and waters; providing effective date.

—and recommends that the same pass with Committee Amendments as attached thereto.

And the Bill contained in the preceding report, together with the Committee Amendments attached thereto, was referred to the Committee on Judiciary "C", under the original joint reference.

Senator Ripley, Chairman of the Committee on Game and Fisheries, reported that the Committee had carefully considered the following Bills:

S. B. No. 260—A bill to be entitled An Act relating to game and fresh water fish; amending Section 372.001 by adding Subsection (23); amending Section 372.57 by renumbering the present Subsection (16) as Subsection (17) and adding a new Subsection (16) and amending Chapter 372 by adding Section 372.661, Florida Statutes; defining "private hunting preserve," providing a special license for hunting in private hunting preserves; providing for licensing of operators of private hunting preserves; providing exception to such license; providing effective date.

S. B. No. 324—A bill to be entitled An Act relating to game and fresh water fish; amending Subsection (2) of Section 372.573, Florida Statutes, by exempting from the payment of a fee for a permit to hunt on lands owned, managed, or leased by the state all persons sixty-five (65) years of age and older who are receiving old age assistance from the State of Florida; requiring such persons to obtain a permit before hunting on such lands; providing for issuance of such permit; providing an effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Ripley, Chairman of the Committee on Game and Fisheries, reported that the Committee had carefully considered the following Bill:

H. B. No. 92—A bill to be entitled An Act permitting the taking of certain mullet for personal use and for use as bait in the salt waters of all counties of the state having a population of not less than sixty-five thousand (65,000) nor more than eighty thousand (80,000) according to the latest official state-wide decennial census; providing for issuance and revocation of certain licenses.

—and recommends that the same pass.

And the Bill contained in the preceding report was placed on the Calendar of Bills on Second Reading.

Senator Sutton, Chairman of the Committee on Privileges and Elections, reported that the Committee had carefully considered the following Bills:

S. B. No. 281—A bill to be entitled An Act relating to registration of absentee electors; amending Sections 101.691, Subsection (4) of 101.692, 101.693, Subsection (1) of 101.694 and adding Subsection (5) to 101.694, Florida Statutes; providing for methods; providing an effective date.

S. B. No. 322—A bill to be entitled An Act relating to presidential electors; amending Subsections (1) and (4) of Section 103.021, Florida Statutes, by providing that the Governor shall nominate presidential electors of all political parties who have elected a President subsequent to January 1, 1900; providing procedure for appointments and filling vacancies that occur.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Sutton, Chairman of the Committee on Privileges and Elections, reported that the Committee had carefully considered the following Bills:

S. B. No. 345—A bill to be entitled An Act to amend Section 103.111, Florida Statutes, relating to State and County political party Executive Committees by adding a provision requiring the clerks of the circuit courts to maintain a list of the elected and appointed members of the county political party executive committees and furnish said list to the appropriate State political party executive chairman.

S. B. No. 344—A bill to be entitled An Act relating to vacancies in political party offices amending Chapter 103, Florida Statutes, by adding thereto Section 103.13 providing when vacancies in said offices shall occur.

S. B. No. 351—A bill to be entitled An Act to amend Section 104.31 (1), (d), Florida Statutes, relating to political activities of State, county and municipal employees to provide that the political activities of elected officials and appointed heads or directors of State administrative agencies shall not be limited and to further provide that only those State Merit System employees employed by agencies receiving federal funds shall be prohibited from holding party offices or serving on political party executive committees.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Sutton, Chairman of the Committee on Privileges and Elections, reported that the Committee had carefully considered the following Bills:

S. B. No. 361—A bill to be entitled An Act to amend Section 104.37, Florida Statutes, relating to political advertisements to provide for such to bear the author's signature and the name of the political party and to further provide that newspaper advertising will be marked as paid advertisements, and provide a penalty.

S. B. No. 352—A bill to be entitled An Act amending Chapter 103, Florida Statutes, by adding thereto Section 103.092 relating to straw ballots for candidates aspiring for the office of President or Vice-President of the United States wishing to test their strength in Florida.

S. B. No. 346—A bill to be entitled An Act to amend Sections 101.62 and 101.64, Florida Statutes, relating to absentee ballots, to provide for applications for absentee ballots and absentee balloting by mail, and further providing that absentee ballots may be applied for and cast in the office of the Supervisor of Registration on the day prior to an election.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Belser, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bills:

S. B. No. 170—A bill to be entitled An Act providing for registration of common-law marriages; enforcement by parties to marriage.

S. B. No. 256—A bill to be entitled An Act relating to mental health; amending Subsection 12 of Section 394.22, Florida Statutes; providing for certification procedure admitting person to state hospital or county, city or private hospital for six (6) month period; providing method of discharging said persons; setting forth procedure for adjudicating such patient as incompetent with notice and hearing; providing for transfer of hearing to county of state hospital's locality; excepting certain persons from using this certification procedure; providing for the suspension of the civil rights during certification; providing for the appointment and discharge of temporary guardian of the property of said persons; containing severability clause; providing an effective date.

S. B. No. 283—A bill to be entitled An Act relating to probate law; amending Sections 733.43, 733.44, 733.46, 733.47, 733.49, Florida Statutes, by providing that accounts and vouchers shall not be filed with accountings but shall be retained by the personal representative and shall be available at trial of objections to accountings.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Belser, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bills:

S. B. No. 284—A bill to be entitled An Act relating to probate law; amending Section 731.28, Florida Statutes, by add-

ing a new paragraph thereto; providing for distribution of funds where it appears that the alien would not receive the benefit of the inheritance; fixing an effective date.

S. B. No. 287—A bill to be entitled An Act relating to probate law; amending Subsection (1) of Section 731.35, Florida Statutes, by adding a new paragraph thereto providing an additional period of sixty days wherein the widow may elect to take dower; by repealing Subsection (3); fixing an effective date.

S. B. No. 318—A bill to be entitled An Act relating to the recordation of instruments in this state; amending Section 695.03, Florida Statutes, by providing that instruments executed outside of this state are eligible for recordation upon proof of due acknowledgment in state of execution.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Belser, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bills:

S. B. No. 286—A bill to be entitled An Act relating to probate law; amending Sections 745.24, 745.25, 745.27, 745.28, 745.29, Florida Statutes, by providing that accounts and vouchers shall not be filed with accountings but shall be retained by guardians and shall be available at trial of objections to accountings.

S. B. No. 255—A bill to be entitled An Act relating to mental health; amending Chapter 394, Florida Statutes, by adding a new Section 394.271; prohibiting person adjudicated mentally incompetent in another state or territory from establishing residence in Florida; setting an effective date.

S. B. No. 224—A bill to be entitled An Act repealing Section 855.04, Florida Statutes, making it unlawful to use firearms to hunt game on Sunday; and providing an effective date.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Belser, Chairman of the Committee on Judiciary "A", reported that the Committee had carefully considered the following Bill:

S. B. No. 285—A bill to be entitled An Act relating to probate law; repealing Subsection (3) of Section 731.35, Florida Statutes (Chapter 57-408, Laws of 1957).

—and recommends that the same not pass.

And the Bill contained in the preceding report was laid on the table.

Senator Edwards, Chairman of the Committee on Education, reported that the Committee had carefully considered the following Bill:

S. B. No. 237—A bill to be entitled An Act relating to education: Authorizing the State Board of Education to conduct preliminary investigations through its employees or appointees, on its own initiative or upon charges alleging misconduct of any teacher or person holding a teaching certificate or any other employee of an educational institution or agency supported by public funds under the law of the State of Florida, and file formal charges against such persons, granting the subpoena power and power to administer oaths and authorizing the filing of formal charges against such persons.

—and recommends that the same pass with Committee Amendment as attached thereto.

And the Bill contained in the preceding report, together with the Committee Amendment attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Stenstrom, Chairman of the Committee on Corporations, reported that the Committee had carefully considered the following Bill:

S. B. No. 323—A bill to be entitled An Act relating to corporations not for profit; amending Subsections (9) and

(10) of Section 617.01, Florida Statutes, by permitting corporations not for profit to incur indebtedness not to exceed the total value of property owned by the corporation; removing the need for approval of same by circuit judge; providing an effective date.

—and recommends that the same pass with Committee Amendment as attached thereto.

And the Bill contained in the preceding report, together with the Committee Amendment attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Johns, Chairman of the Committee on Insurance, reported that the Committee had carefully considered the following Bills:

H. B. No. 115—A bill to be entitled An Act relating to the State Plant Board; providing for public liability insurance; and providing an effective date.

H. B. No. 261—A bill to be entitled An Act relating to authority of state, county and other governmental officers for securing motor vehicle liability insurance; repealing Subsection (3) of Section 455.06, Florida Statutes, which exempts Marion County from the operation of said Section 455.06.

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

#### ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred, with Senate Amendments, for engrossing—

S. B. No. 116—A bill to be entitled An Act relating to free dealer law of 1943; amending Section 62.42, Florida Statutes, providing for service on husband; amending Chapter 62, Florida Statutes, by adding Section 62.421, to provide for mailing of petition; providing an effective date.

—begs leave to report that the Amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Bill No. 116, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with Senate Amendments, for engrossing—

S. B. No. 240—A bill to be entitled An Act authorizing the City of St. Augustine, Florida, to provide for the sale and distribution of natural gas within and without the limits of said city; authorizing the City of St. Augustine, Florida, to acquire rights of way and establish pipe lines for the acquisition, sale and distribution of natural gas; authorizing the establishment of rates and charges for said utility; authorizing the City of St. Augustine, Florida, to issue revenue bonds of indebtedness for the purposes of this Act to be secured by a pledge of the revenues of such utility; repealing all laws or parts of laws in conflict herewith and providing for a referendum.

—begs leave to report that the Amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Bill No. 240, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with Senate Amendment, for engrossing—

S. B. No. 246—A bill to be entitled An Act relating to credit unions; amending Subsection (3) Section 657.01, Florida Statutes, by providing an investigation fee; adding Subsection (7) to Section 657.04, Florida Statutes, by providing additional powers; amending second paragraph, Section 657.06,

Florida Statutes, by increasing examination fee; amending Subsections (3) and (4) Section 657.09, Florida Statutes, covering surety bond requirements and dividends. Providing effective date.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Bill No. 246, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with Senate Amendment, for engrossing—

S. B. No. 248—A bill to be entitled An Act relating to testamentary bequests and devises to the trustee of an inter vivos trust; authorizing and making valid testamentary bequests and devises to the trustee of an inter vivos trust notwithstanding the trust is amendable or revocable, or both, and notwithstanding a subsequent amendment or partial revocation of the trust and notwithstanding the trust instrument or any amendment thereto was not executed in the manner required for wills. Providing effective date.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

Your Engrossing Clerk to whom was referred, with Senate Amendment, for engrossing—

S. B. No. 249—A bill to be entitled An Act relating to investments by industrial savings banks; amending Subsection (1) of Section 656.24, Florida Statutes, by authorizing investments by industrial savings banks in the shares of stock of the Federal National Mortgage Association, and of small business investment companies. Providing effective date.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Bill No. 249, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with Senate Amendment, for engrossing—

S. B. No. 250— A bill to be entitled An Act relating to expenses and compensation of personal representatives of estates of decedents; amending Paragraph (d) of Subsection (1) of Section 734.01, Florida Statutes, by providing for the allowance by the county judge of just and reasonable compensation to each personal representative of an estate of a decedent where there are more than one personal representative; specifying a maximum compensation for each personal representative for ordinary services and providing for a minimum amount of compensation for each thereof, and specifying the total compensation allowable for all personal representatives of an estate where there are more than one personal representative. Providing effective date.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Bill No. 250, contained in the above report was ordered certified to the House of Representatives.

Your Engrossing Clerk to whom was referred, with Senate Amendment, for engrossing—

S. B. No. 251— A bill to be entitled An Act relating to bank investments; amending Paragraph (a) of Section (4) of Section 656.24, Florida Statutes, by adding thereto a provision authorizing an industrial savings bank to invest in stock of a corporation organized and operated for the sole purpose of owning the premises of such industrial savings bank, subject to certain limitations. Providing effective date.

—begs leave to report that the Amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS,  
Secretary of the Senate as  
Ex Officio Engrossing Clerk  
of the Senate.

And Senate Bill No. 251, contained in the above report was ordered certified to the House of Representatives.

Senator Connor requested unanimous consent of the Senate to take up and consider House Bill No. 10, out of its order.

Unanimous consent was granted, and—

H. B. No. 10—A bill to be entitled An Act authorizing the Board of County Commissioners of Citrus County to grant franchises for water works or sewer systems, or both, in unincorporated areas in said county; to prescribe water and sewer rates and reasonable provisions for operation by the franchise holder; and providing an effective date.

Was taken up, pending roll call, the vote by which it passed the Senate on April 14, 1959, having been reconsidered on April 20, 1959.

Upon call of the roll on the passage of House Bill No. 10 the vote was:

Yeas—38.

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kiehlter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

Nays—None.

So House Bill No. 10 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Houghton, Chairman of the Committee on Pensions and Claims, moved that the rules be waived and the Committee on Pensions and Claims be allowed an additional ten days to report on all Bills now referred to the Committee.

Which was agreed to by a two-thirds vote and it was so ordered.

By unanimous consent, Senator Knight, as Chairman of the Committee on Judiciary "C," withdrew Senate Bill No. 416 from the further consideration of the Senate.

Senator Rawls, Chairman of the Committee on Constitutional Amendments and Governmental Reorganization, moved that the rules be waived and the Committee on Constitutional Amendments and Governmental Reorganization be allowed an additional ten days to report on all Bills now referred to the Committee.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Pearce, Chairman of the Committee on General Legislation, moved that the rules be waived and the Committee on General Legislation be allowed an additional ten days to report on all Bills now referred to the Committee.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Kelly, Chairman of the Committee on Public Roads and Highways, moved that the rules be waived and the Committee on Public Roads and Highways be allowed an additional ten days to report on all Bills now referred to the Committee.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Knight, Chairman of the Committee on Judiciary "C," moved that the rules be waived and the Committee on Judiciary "C" be allowed an additional ten days to report on all Bills now referred to the Committee.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Davis, Chairman of the Committee on Rules and Calendar, moved that the rules be waived and that when the Senate adjourns at this session it adjourn to reconvene at 4:00 o'clock P. M., Monday, April 27, 1959.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Ripley moved that Senate Bill No. 126 be withdrawn from the Committee on Appropriations and re-referred to the Committee on Constitutional Amendments and Governmental Reorganization.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Ripley moved that Senate Bill No. 233 be withdrawn from the Committee on Appropriations and the Committee on Judiciary "C" and re-referred to the Committee on Constitutional Amendments and Governmental Reorganization.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Dickinson, Chairman of the Committee on Judiciary "B," moved that the rules be waived and the Committee on Judiciary "B" be allowed an additional ten days to report on all Bills now referred to the Committee.

Which was agreed to by a two-thirds vote and it was so ordered.

#### INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senator Ripley—

S. B. No. 434—A bill to be entitled An Act granting to Ozzie Rhoden, a full time employee in the Street Cleaning Department of the City of Jacksonville, full service credit within the purview of the Employees Pension Fund created by Chapter 18610, Laws of Florida, Acts of 1937, for each and every period of time he was in the service of said city, regardless of whether such service was intermittent, broken or otherwise.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 434 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Ripley moved that the rules be waived and Senate Bill No. 434 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 434 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 434 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 434 was read the third time in full.

Upon the passage of Senate Bill No. 434 the roll was called and the vote was:

Yeas—38.

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

Nays—None.

So Senate Bill No. 434 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Ripley—

S. B. No. 435—A bill to be entitled An Act amending Section 1 of Chapter 57-1444, Laws of Florida, entitled, "An Act affecting the government of the City of Jacksonville, and relating to the salary of the city attorney of said city; authorizing the city commission of said city to determine and fix the amount of such salary; and repealing all laws in conflict herewith", providing an effective date.

Which was read the first time by title only.

Proof of publication of Notice was attached to Senate Bill No. 435 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

Senator Ripley moved that the rules be waived and Senate Bill No. 435 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 435 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 435 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 435 was read the third time in full.

Upon the passage of Senate Bill No. 435 the roll was called and the vote was:

Yeas—38.

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

Nays—None.

So Senate Bill No. 435 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Gibbons—

S. B. No. 436—A bill to be entitled An Act relating to the Florida Highway Code, amending Subsection (3) of Section 335.04, Florida Statutes, by excluding the interstate system from the 11,000 mile limitation on the primary road system, and providing an effective date.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senator Hair—(By Request)—

S. B. No. 437—A bill to be entitled An Act relating to Public Welfare; amending Subsection (2) of Section 409.36, Florida Statutes; defining fraud; prescribing the duties of the Welfare

Department and prosecuting attorney; providing an effective date.

Which was read the first time by title only and referred to the Committee on Welfare.

By Senators Hair, Hodges and Getzen—

S. B. No. 438—A bill to be entitled An Act relating to highways; amending Subsection (1) of Section 335.02, Florida Statutes, by requiring the State Road Board to conduct an advertised public hearing before designating, locating, or redesignating or relocating state roads; prescribing procedures; fixing an effective date.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways.

By Senator Stratton—

S. B. No. 439—A bill to be entitled An Act to amend Section 440.12, Florida Statutes, relating to time for commencement and weekly rate of workmen's compensation, by providing a waiting period of seven days unless disability shall exceed twenty-one days, increasing the maximum weekly rate to forty-two dollars, and providing an effective date.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senator Stratton—

S. B. No. 440—A bill to be entitled An Act authorizing the imposition of an additional tax of one cent per gallon on gasoline or other like products of petroleum and "special fuels" by the several counties or municipalities; providing for the collection, distribution and use of said tax, and providing for an effective date.

Which was read the first time by title only and referred to the Committee on Finance and Taxation and the Committee on Motor Vehicles.

By Senator Johns—

S. B. No. 441—A bill to be entitled An Act relating to the Game and Fresh Water Fish Commission; amending Section 372.93, Florida Statutes, by adding Subsection (2) holding the United States free from damages due to operation in hyacinth control; providing effective date.

Which was read the first time by title only and referred to the Committee on Game and Fisheries.

By Senator Edwards—

S. B. No. 442—A bill to be entitled An Act relating to finance of public schools; amending Paragraph (b) of Subsection (3) of Section 236.07, Florida Statutes, by changing requirement of ten (10) years continuous service for a state contribution of three hundred dollars (\$300.00) to ten (10) years accumulated service; fixing an effective date.

Which was read the first time by title only and referred to the Committee on Appropriations and the Committee on Education.

By Senator Stenstrom—

S. B. No. 443—A bill to be entitled An Act validating and restoring certain permits to conduct horse racing in harness, notwithstanding the distance limitation from other tracks contained in Section 550.05, Florida Statutes, or any other law relating to distances between race tracks; providing that other pertinent provisions of Chapter 550, Florida Statutes, relating to the conduct of horse racing in harness, shall apply to the operation of any race track conducted by means of any permits being ratified and restored by this Act and providing that this Act shall not prevent cancellation, revocation or recall of any such permit as provided by law; providing an effective date.

Which was read the first time by title only and referred to the Committee on Miscellaneous Legislation.

By Senator Knight—(By Request)—

S. B. No. 444—A bill to be entitled An Act providing for the employment, powers, duties and compensation of a special investigator for each state attorney; providing that this Act shall not be taken to amend or repeal any special, local or

population law providing for the employment, powers, duties, qualification, compensation and expense allowances of special investigators for state attorneys, except that one special investigator employed under any such law, to be designated by the state attorney employing him, shall be paid by the State the salary herein provided and shall be paid by the county only the amount, if any, by which the salary payable to him out of county funds under such law exceeds the amount of the salary paid to him under this Act; and prescribing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C" and the Committee on Appropriations.

By Senator Knight—(By Request)—

S. B. No. 445—A bill to be entitled An Act relating to the employment of stenographers by state attorneys and to the compensation of such stenographers; amending Paragraph (1)(a) of Section 27.25, Florida Statutes, by increasing the salary of each such stenographer to three hundred dollars per month; and providing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C" and the Committee on Appropriations.

By Senator Knight—(By Request)—

S. B. No. 446—A bill to be entitled An Act to authorize each assistant state attorney who maintains his own office separate and apart from the office of his state attorney to employ a stenographer to be used in carrying out his duties as assistant state attorney; prescribing the salary of each such stenographer and providing for the payment thereof from the State Treasury; and prescribing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C" and the Committee on Appropriations.

By Senator Knight—(By Request)—

S. B. No. 447—A bill to be entitled An Act relating to attorneys' fees for state attorneys in support cases initiated in other states and pending in the circuit courts of this state; amending Chapter 88, Florida Statutes, by adding a new Section 88.212, requiring that in every order for support or reimbursement which is entered in such a case the circuit court shall require the defendant to pay a reasonable attorney's fee to the state attorney and providing that the defendant's property may be subjected to such requirement, authorizing the state attorney to employ attorneys and procure additional stenographic and clerical help to assist him in representing plaintiffs in such cases and to pay their compensation out of moneys received on account of such attorney's fees, and requiring the state attorney to keep a record of all moneys received for such attorney's fees and of all moneys expended by him under this Act and to make a sworn, itemized report of the same to the Comptroller during the month of January of each year; and prescribing the effective date of this Act.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Knight—(By Request)—

S. B. No. 448—A bill to be entitled An Act relating to oaths of secrecy by witnesses appearing before State attorneys, assistant State attorneys, county solicitors and assistant county solicitors pursuant to witness subpoenas; authorizing any such prosecuting attorney to require any witness thus appearing before him to take an oath to keep secret and not divulge or communicate the fact that such prosecuting attorney has under consideration and is investigating the matter about which such witness shall testify, or any other fact pertaining thereto which may come to the knowledge of such witness during the taking of his testimony, or what testimony was given by him in such proceedings before such prosecuting attorney; providing that every such witness who refuses to take such an oath when thus required, or who violates such an oath, shall be guilty of criminal contempt of court and punished accordingly; prescribing the conditions under which a trial court of competent jurisdiction may permit the testimony of a witness thus sworn to secrecy to be divulged by such witness; providing a severability rule; re-



pealing all laws and parts of laws in conflict herewith; and prescribing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Knight—(By Request)—

S. B. No. 449—A bill to be entitled An Act relating to assistant state attorneys; abolishing the offices of assistant state attorneys at the expiration of the terms of office which they severally hold on the date this Act becomes effective; providing that such a term shall be considered to have expired if it expires by reason of the passage of time or if the assistant state attorney holding it dies or resigns or is removed from office; providing for the appointment of assistant state attorneys, and for the revocation of such appointments, by the state attorneys; providing that an assistant State attorney appointed by a state attorney shall serve during the pleasure of such state attorney; prescribing the oath to be taken by assistant state attorneys; providing for the recording of appointments, oaths, and revocations of appointments of assistant state attorneys and for the furnishing of certified copies thereof to the State Comptroller; prescribing the powers, duties, compensation and expense allowances of assistant state attorneys; providing a rule for the construction of this Act; providing that this Act shall apply to the state attorney and assistant state attorneys of the Eleventh and Thirteenth Judicial Circuits of Florida only to the extent that it is not in conflict with Sections 9B and 9C of Article V of the Constitution of Florida; repealing all laws and parts of laws in conflict with this Act; and providing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Knight—(By Request)—

S. B. No. 450—A bill to be entitled An Act defining and relating to the crime of perjury; providing for its prosecution, proof and punishment; providing that the provisions of this Act shall be severable; repealing all laws in conflict herewith; and providing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Knight—(By Request)—

S. B. No. 451—A bill to be entitled An Act relating to limitation of criminal prosecutions; amending Section 932.05, Florida Statutes, by providing a five year period of limitation for the prosecution of felonies not punishable with death by providing that said five year period shall not include the time during which a person charged with the commission of such an offense shall conceal himself within this State, or absent himself from this State, or the period of time that the commission of such an offense or the guilt of the person charged therewith is undiscovered, and by authorizing new indictments or informations when an indictment or information filed within the time herein provided is held insufficient or defective after the expiration of such time by any court of competent jurisdiction; and prescribing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Knight—(By Request)—

S. B. No. 452—A bill to be entitled An Act relating to the issuance of search warrants for the search of private dwellings; amending Section 933.18, Florida Statutes, by providing for the issuance of a search warrant for the search of a private dwelling when it contains an instrumentality or means by which a crime has been committed; and prescribing effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Knight—(By Request)—

S. B. No. 453—A bill to be entitled An Act relating to, and providing penalties for, the offense of causing or encouraging a minor under the age of seventeen years to become a delinquent or dependent child; amending Section 828.21, Florida Statutes, by making it apply only when the minor involved

is under the age of seventeen years, and by providing increased penalties for the violation thereof; and prescribing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Knight—(By Request)—

S. B. No. 454—A bill to be entitled An Act relating to witnesses before the prosecuting attorney of the county court; amending Section 34.14, Florida Statutes, by authorizing such prosecuting attorney to administer oaths to, and take recognizances from, witnesses who voluntarily appear before him, and by providing that the compensation and mileage prescribed by law for witnesses in county courts shall be paid to witnesses compelled to appear before him and to witnesses who voluntarily appear before him and are administered an oath by him; and prescribing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Knight—(By Request)—

S. B. No. 455—A bill to be entitled An Act relating to the compensation of the prosecuting attorney for the county court; amending Section 34.11, Florida Statutes, by providing that such prosecuting attorney shall receive ten per cent of each bail bond with surety or sureties which is estreated in such court and collected; and prescribing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Knight—(By Request)—

S. B. No. 456—A bill to be entitled An Act authorizing grand juries, state attorneys, assistant state attorneys, county solicitors and assistant county solicitors to have expert witnesses subpoenaed to make examinations and give testimony in connection with felony investigations; providing for the allowance and payment of compensation to such expert witnesses; and prescribing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Knight—(By Request)—

S. B. No. 457—A bill to be entitled An Act relating to probation; amending Chapter 948, Florida Statutes, by adding thereto a new Section 948.011 to provide that when the law authorizes the placing of a defendant on probation, and when his offense is punishable by both fine and imprisonment, the trial court may, in its discretion, impose a fine upon him and place him on probation as to imprisonment; and prescribing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Knight—(By Request)—

S. B. No. 458—A bill to be entitled An Act relating to forfeiture proceedings under the gambling and lottery laws; amending Section 849.42, Florida Statutes, by providing that the attorney for the Board of County Commissioners, instead of the State Attorney, shall be served with a copy of the sheriff's return and shall represent the state in the forfeiture proceedings; and prescribing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Knight—(By Request)—

S. B. No. 459—A bill to be entitled An Act relating to forfeiture proceedings under the beverage law; amending Section 562.404, Florida Statutes, by providing that the attorney for the Board of County Commissioners, instead of the State Attorney, shall be served with a copy of the return of the Board of County Commissioners and shall represent the state in the forfeiture proceedings; and prescribing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Knight—(By Request)—

S. B. No. 460—A bill to be entitled An Act relating to and providing penalties for wilfully and maliciously threatening to blow up, bomb or dynamite any building, or to injure any building or any person therein by means of any explosive substance; and prescribing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Knight—(By Request)—

S. B. No. 461—A bill to be entitled An Act providing the compensation of prosecuting attorneys for county judges' courts in connection with cash bail bonds estreated in such courts and bail bonds with sureties estreated in such courts and collected; and prescribing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Knight—(By Request)—

S. B. No. 462—A bill to be entitled An Act relating to fresh pursuit and arrests by municipal police officers throughout the county; providing that when a person violates a municipal ordinance or commits a misdemeanor within a municipality, in the presence of a police officer thereof, or when a police officer of a municipality has reasonable grounds to believe that a person found within such municipality has committed or is committing a felony, such officer may, in fresh pursuit, whenever necessary to effect the arrest of such person, pursue such person outside of such municipality to any point in the county and there arrest him; prescribing that for the purposes of this Act fresh pursuit shall not necessarily imply instant pursuit but shall mean pursuit without unreasonable delay; and prescribing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Knight—(By Request)—

S. B. No. 463—A bill to be entitled An Act making it a misdemeanor to knowingly make a false report or representation or give false information to the effect that a bomb or other explosive will be exploded or has been placed or is located, or that a dangerous hazard exists, in or about any building, train, aircraft, vessel or vehicle or any place used as a public gathering place, with intent to cause another person to be apprehensive of personal danger to himself or another or of destruction of or damage to property, or with intent to cause inconvenience to another or to cause a search or investigation to be made; prescribing penalties for the violation of this Act and providing that its provisions shall be severable; prescribing a prima facie evidence rule; and prescribing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Knight—(By Request)—

S. B. No. 464—A bill to be entitled An Act relating to chemical tests for the purpose of determining the alcoholic content of blood of persons in connection with the operation of motor vehicles or motorcycles; providing that any person who operates a motor vehicle or motorcycle in this state shall be deemed to have given his consent to a chemical test of his breath, blood, urine or saliva for the purpose of determining the alcoholic content of his blood; providing for the making of such tests and prescribing the circumstances and conditions under which they may be made; providing for making the test results available to the person tested and providing that he may have an additional test made by a physician of his own choice; providing for the temporary suspension and revocation of driving licenses and permits and non-resident operating privileges of persons who refuse to submit to such tests when requested to do so in accordance with this Act; and prescribing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senator Knight—(By Request)—

S. B. No. 465—A bill to be entitled An Act making it a misdemeanor to attach to a motor vehicle a license tag not

issued and assigned to such vehicle and providing penalties for so doing; and prescribing the effective date hereof.

Which was read the first time by title only and referred to the Committee on Judiciary "C."

By Senators Kelly and Davis—

S. B. No. 466—A bill to be entitled An Act providing that female employees shall be compensated at an equal rate with male employees working the same establishment at the same classification of work; allowing for variation in compensation under certain circumstances; providing a limitation for actions arising under the Act; placing the burden of proof of violation upon the claimant; providing that this Act shall not apply to employees in domestic or agricultural service; providing a penalty therefor; and providing an effective date clause.

Which was read the first time by title only and referred to the Committee on Labor and Industry.

By Senators Getzen, Connor, Hodges and Knight—

S. B. No. 467—A bill to be entitled An Act providing for the appointment of an interim State Road Department committee; providing an appropriation; providing an effective date.

Which was read the first time by title only and referred to the Committee on Public Roads and Highways and the Committee on Appropriations.

By Senators Carraway and Edwards—

Senate Concurrent Resolution No. 468:

A CONCURRENT RESOLUTION RELATING TO THE BUSINESS CLIMATE OF THE STATE OF FLORIDA.

WHEREAS, Florida, through her demonstrated understanding attitude toward business and industry has attracted in the period 1947 to 1958 a record number of new industrial plants and manufacturing employment has arisen from ninety-two thousand eight hundred (92,800) in 1947 to one hundred seventy-seven thousand six hundred (177,600) in 1958, an increase of ninety-one and three-tenths percent (91.3%); while employment in the United States rose one and one-tenth percent (1.1%), and in the southeast seventeen and four-tenths percent (17.4%). This increase in manufacturing employment representing an increase in annual wages to the people of Florida of four hundred and twenty million (\$420,000,000.00) dollars, an increase of two hundred and seven percent (207%), and

WHEREAS, Good business climate is hereby defined as follows:

(1) Fair and equitable treatment in all legislation and administrative regulation of all segments of the Florida economy.

(2) A framework of government the support of which adds no greater cost to doing business than the cost of government imposed by other states of similar industrialization and favorable business climate.

(3) Equitable tax policies and restriction on the cost of government to reasonable levels.

(4) Fair treatment in legislation and administration of labor-management relations for both labor and industry.

(5) Fostering an economic atmosphere which will enable Florida agriculture and industry to compete for out of state markets, the wide marketing of Florida products bringing wealth into the state and raising the standard of living of all our people, and

WHEREAS, Florida's population is increasing at a faster rate than that of any other large state in the nation, necessitating the creation of new jobs, and

WHEREAS, A favorable environment in which to conduct business is essential for the encouragement of business expansion, the attraction of new business, the growth of business and industry and the broadening of employment opportunities for all of the people of the state, and

WHEREAS, Every citizen of Florida, including the professional, industrial, agricultural and business worker has a real and personal stake in the expanding economy and more job opportunities in the state, and



WHEREAS, In this era of rapid industrial expansion and relocation throughout the United States, industries selecting locations are vitally concerned with and are giving increasing attention to the relative business climate among the states, and

WHEREAS, A favorable business climate attracts needed industrial pay rolls, and

WHEREAS, Preservation of our good business climate is in the public interest and can be continued without discriminating against any other interest in Florida, and

WHEREAS, This Legislature has adopted a progressive, fair and enlightened attitude towards existing industry and the attraction of new industry to this state, NOW, THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That this body continue to examine carefully all proposed legislation relating to commerce and industry, in terms of its effect upon the business climate of the state, and determine whether such legislation may have any future discriminating or deterring effect upon the investment of capital and the creation of needed payrolls in Florida, and

BE IT FURTHER RESOLVED By the members of this legislature that they hereby request the Governor and the heads of all departments of this state, to continue to examine their own discretionary actions and orders in any way relating to commerce and industry, in terms of the effect of such governmental action upon the business climate in Florida, and

BE IT FURTHER RESOLVED That copies of this resolution be forwarded to the Governor and all officials of the state government, including the head of each department in the government of the state.

Which was read the first time in full.

Senator Carraway moved that the rules be waived and Senate Concurrent Resolution No. 468 be read the second time in full and put upon its adoption.

Which was agreed to by a two-thirds vote.

And Senate Concurrent Resolution No. 468 was read the second time in full.

The question was put on the adoption of the Concurrent Resolution.

Which was agreed to and Senate Concurrent Resolution No. 468 was adopted, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Sutton—

S. B. No. 469—A bill to be entitled An Act relating to elections; amending Subsection (2) of Section 101.011; Subsection (5) of Section 101.151, and Sections 101.191 and 101.44, Florida Statutes; providing for the sufficiency of marking of ballots for write-in voting.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Sutton—

S. B. No. 470—A bill to be entitled An Act relating to elections; amending Section 98.281, Florida Statutes; providing for appointments of deputy supervisors.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Sutton—

S. B. No. 471—A bill to be entitled An Act relating to elections; amending Section 101.36, Florida Statutes; providing certain arrangement of the names of candidates when voting machines are used.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Sutton—

S. B. No. 472—A bill to be entitled An Act relating to elections; amending Section 101.53, Florida Statutes; providing

qualifications of watchers at the polls; and repealing Section 101.131, Florida Statutes.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Sutton—

S. B. No. 473—A bill to be entitled An Act relating to elections; amending Subsection (6) of Section 97.041, Florida Statutes; providing for the qualification and registration of electors.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Sutton—

S. B. No. 474—A bill to be entitled An Act relating to elections; amending Subsection (1) of Section 102.012, Florida Statutes; providing for the appointment of election boards from precincts within county commissioners districts.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Sutton—

S. B. No. 475—A bill to be entitled An Act relating to elections; amending Section 103.111, Florida Statutes, by adding thereto Subsection (8); providing for the election of unopposed state or county committeemen.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Sutton—

S. B. No. 476—A bill to be entitled An Act relating to elections; amending the first unnumbered paragraph of Section 98.161, Florida Statutes; providing compensation allowed supervisors of registration.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Dickinson—(By Request)—

S. B. No. 477—A bill to be entitled An Act relating to elections; amending Section 98.111, Florida Statutes; prescribing the necessary information required on registration form.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Dickinson—(By Request)—

S. B. No. 478—A bill to be entitled An Act relating to elections; amending Section 101.24, Florida Statutes; naming the supervisors of registration custodians of ballot boxes.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Dickinson—(By Request)—

S. B. No. 479—A bill to be entitled An Act relating to elections; amending Section 98.031, Florida Statutes; by providing the changing of time for the alteration or creation of new precincts.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Dickinson—(By Request)—

S. B. No. 480—A bill to be entitled An Act relating to elections; amending Sections 101.62 and 101.63, Florida Statutes; providing for the casting of absentee ballots; publication of list of applicants for absentee ballots; and repealing Section 101.69, Florida Statutes.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Dickinson—(By Request)—

S. B. No. 481—A bill to be entitled An Act relating to elections; amending Section 98.081, Florida Statutes; by changing the time for mailing forms to electors relating to their status.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Dickinson—(By Request)—

S. B. No. 482—A bill to be entitled An Act relating to elections; amending Section 102.031, Florida Statutes; providing for election boards to maintain order at the polls and during the canvass of returns.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Dickinson—(By Request)—

S. B. No. 483—A bill to be entitled An Act relating to elections; amending Section 98.231, Florida Statutes; requiring the supervisors of registration furnish Secretary of State number of registered electors.

Which was read the first time by title only and referred to the Committee on Privileges and Elections.

By Senator Dickinson—

S. B. No. 484—A bill to be entitled An Act providing an appropriation to assist the county school boards in event of litigation connected with pupil assignment law, providing effective date.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Carlton—

S. B. No. 485—A bill to be entitled An Act providing that whenever the Florida Citrus Commission determines that serious damage has resulted to citrus fruit from freezing temperatures, it shall also determine and establish maximum freeze damage of citrus fruit to be used in frozen concentrated products; providing a severability clause and fixing the effective date hereof.

Which was read the first time by title only.

Senator Carlton moved that the rules be waived and Senate Bill No. 485 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 485 was read the second time by title only.

Senator Carlton moved that the rules be further waived and Senate Bill No. 485 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 485 was read the third time in full.

Upon the passage of Senate Bill No. 485 the roll was called and the vote was:

Yeas—38.

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

Nays—None.

So Senate Bill No. 485 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately, by waiver of the rule.

By Senator Melton—

S. B. No. 486—A bill to be entitled An Act authorizing and empowering the Motor Vehicle Commissioner to design, issue and regulate the use of temporary tags to be designated "drive-out tags" for limited use for one dollar (\$1.00) each; providing for the administrative cost; providing that no such tag shall be valid after seventy-two hours from the time it

is affixed to a motor vehicle; authorizing the Motor Vehicle Commissioner to issue and enforce rules and regulations for the administration of this Act; providing that a violation hereof is a misdemeanor and fixing the punishment upon conviction thereof; and providing an effective date.

Which was read the first time by title only and referred to the Committee on Motor Vehicles.

By Senator Melton—

S. B. No. 487—A bill to be entitled An Act relating to motor vehicle registrations and titles; amending Paragraph (b) of Subsection (5) of Section 319.25 Florida Statutes, and adding thereto Paragraphs (c) and (d); providing for the Motor Vehicle Commissioner to furnish registration and title information and fees charged therefor; providing an effective date.

Which was read the first time by title only and referred to the Committee on Motor Vehicles.

By Senator Melton—

S. B. No. 488—A bill to be entitled An Act amending Section 320.08, Florida Statutes, 1957, relating to motor vehicle license tags by changing the passenger capacity of automobiles for hire and providing an effective date.

Which was read the first time by title only and referred to the Committee on Motor Vehicles.

By Senator Melton—

S. B. No. 489—A bill to be entitled An Act relating to motor vehicle license tags; amending Section 320.08, Florida Statutes, by eliminating "T" series tags and changing the net weight of "D" series tags.

Which was read the first time by title only and referred to the Committee on Motor Vehicles.

By Senator Melton—

S. B. No. 490—A bill to be entitled An Act relating to livestock; amending Section 585.42, Florida Statutes, by making said section inapplicable to calves less than four (4) weeks old slaughtered by establishments operating under state or federal meat inspection supervision; fixing an effective date.

Which was read the first time by title only and referred to the Committee on Agriculture and Livestock.

By Senator Ripley—

S. B. No. 491—A bill to be entitled An Act relating to and fixing the compensation of justices of the peace and constables in those counties of the state not having home rule under the Constitution and having a population in excess of 300,000 inhabitants according to the preceding official census and where there are in existence not less than nine justice of the peace districts and prescribing the time when this Act shall become law.

Which was read the first time by title only.

Senator Ripley moved that the rules be waived and Senate Bill No. 491 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 491 was read the second time by title only.

Senator Ripley moved that the rules be further waived and Senate Bill No. 491 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 491 was read the third time in full.

Upon the passage of Senate Bill No. 491 the roll was called and the vote was:

Yeas—38.

Mr. President	Bronson	Dickinson	Hair
Adams	Carlton	Eaton	Hodges
Beall	Carraway	Edwards	Houghton
Belser	Clarke	Gautier	Johns
Boyd	Connor	Getzen	Kelly
Brackin	Cross	Gibbons	Kicliter
Branch	Davis	Gresham	Knight

Melton	Price	Stenstrom	Sutton
Pearce	Rawls	Stratton	Tedder
Pope	Ripley		

Nays—None.

So Senate Bill No. 491 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senators Pope, Johns, Connor, Tedder, Adams, Dickinson, Hodges, Knight, Melton, Price, Stenstrom and Eaton—

S. B. No. 492—A bill to be entitled An Act relating to the turnpike authority: amending Subsection (2) of Section 340.04, Florida Statutes, providing definitions and specifications relating to permitting the sale of food on the turnpike: providing effective date.

Which was read the first time by title only.

Senator Johns moved that the rules be waived and Senate Bill No. 492 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 492 was read the second time by title only.

Senator Johns moved that the rules be further waived and Senate Bill No. 492 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And Senate Bill No. 492 was read the third time in full.

Upon the passage of Senate Bill No. 492 the roll was called and the vote was:

Yeas—38.

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

Nays—None.

So Senate Bill No. 492 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

By Senator Dickinson—

S. B. No. 493—A bill to be entitled An Act creating a consolidation of state agencies interim committee; providing for its membership, powers, duties and organization; requiring a report to the 1961 Legislature; providing effective date and expiration date.

Which was read the first time by title only and referred to the Committee on Appropriations.

Senator Gautier asked unanimous consent of the Senate to take up and consider House Bill No. 92, out of its order.

Unanimous consent was granted, and—

H. B. No. 92—A bill to be entitled An Act permitting the taking of certain mullet for personal use and for use as bait in the salt waters of all Counties of the State having a population of not less than sixty-five thousand (65,000) nor more than eighty thousand (80,000) according to the latest official State-wide decennial Census; providing for issuance and revocation of certain licenses.

Was taken up.

Senator Gautier moved that the rules be waived and House Bill No. 92 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 92 was read the second time by title only.

Senator Gautier moved that the rules be further waived and House Bill No. 92 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 92 was read the third time in full.

Upon the passage of House Bill No. 92 the roll was called and the vote was:

Yeas—38.

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

Nays—None.

So House Bill No. 92 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Senator Davis moved that a committee be appointed to escort Miss Kate Inman, former Reading Clerk of the Senate for many years, to the rostrum.

Which was agreed to.

And the President appointed Senators Davis, Carraway and Rawls as the committee which escorted Miss Kate Inman to the rostrum where she was received by the Senate standing.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 24, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Bronson—

S. B. No. 282—A bill to be entitled An Act to extend the corporate limits of the City of Kissimmee, Florida, and to give the said City of Kissimmee jurisdiction over the territory embraced in said extension.

Proof of publication attached.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 282, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 24, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senators Carraway, Johns, Davis and Clarke—

S. B. No. 3—A bill to be entitled An Act relating to elections; amending Sections 100.061 and 100.091, Florida Statutes, as

amended by Sections 1 and 2 of Chapter 57-166, Acts of 1957, relating to first and second primary elections; providing an effective date.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Bill No. 3, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 24, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has adopted—

By Senators Edwards, Hodges, Pearce, Ripley, Connor, Boyd, Sutton, Hair, Johns and Stenstrom—

Senate Memorial No. 347:

A MEMORIAL TO THE CONGRESS OF THE UNITED STATES TO PROVIDE SUFFICIENT FUNDS FOR COMMENCEMENT OF CONSTRUCTION OF THE CROSS FLORIDA BARGE CANAL AT THE EARLIEST POSSIBLE TIME.

WHEREAS, The Florida Legislature has heretofore created the Florida Ship Canal Authority and the Ship Canal Navigation Districts by the respective sessions of 1953 and 1955, and

WHEREAS, Congress has heretofore authorized construction of this project conditioned upon establishment of economic feasibility, and

WHEREAS, The Corps of Engineers of the United States Army has recently filed its report with Congress establishing the economic feasibility of the project, and

WHEREAS, The construction is also justified as a defense measure and had it been so constructed when originally planned, the many hundreds of lives and thousands of tons of cargo lost by ships and vessels necessarily going around the tip of Florida during the last war would have been saved, and

WHEREAS, It has been firmly established that the construction of this project would be like driving a "golden spike," creating a statewide waterway system directly connected with the entire national inland navigation network east of the Rocky Mountains, and

WHEREAS, This great project was first conceived in an effort to relieve the economic stagnation of the great depression and would today provide a boon to the economic progress of the whole State of Florida, and

WHEREAS, The Barge Canal now proposed, contrary to the old proposed ship canal, would provide for the impounding for the many millions of gallons of water and increase the dwindling water supply of Florida, and

WHEREAS, The project has been endorsed by, and is being actively supported by the National Rivers and Harbors Congress, the Mississippi Valley Association, and the Intra-Coastal Canal Association of Louisiana and Texas, and

WHEREAS, The early completion of the Canal has been given top priority by the Florida Waterways Committee, which represents the entire State and is familiar with all waterways projects proposed for the State, NOW, THEREFORE.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

That the Congress of the United States be and it is hereby requested to provide at the earliest possible time sufficient funds with which to commence construction of the Cross Florida Barge Canal during the next fiscal year and that such funds be provided from time to time thereafter as

may be needed to pursue such project expeditiously to completion.

BE IT FURTHER RESOLVED, That copies of this memorial be dispatched to the President of the United States; to the President of the United States Senate; to the Speaker of the United States House of Representatives; to each of the ablest congressional delegations in the United States Congress, the Florida delegation; to the Chief of Engineers, Corps of Engineers, Washington, D.C., and to the Governor of the great State of Florida.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And Senate Memorial No. 347, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 24, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has granted the request of the Senate and returns herewith—

By Senator Connor—

S. B. No. 32—A bill to be entitled An Act relating to the non-payment by banks or trust companies of items presented for payment; amending Section 659.33 by adding an additional sub-section thereto; limiting the liability of banks and trust companies under certain circumstances to actual damages caused by such non-payment; and exempting banks and trust companies from liability for such non-payment under certain circumstances.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Senator Connor moved that the rules be waived and the Senate immediately reconsider the vote by which Senate Bill No. 32 passed the Senate on April 20, 1959.

The President put the question: "Will the Senate reconsider the vote by which Senate Bill No. 32 passed the Senate on April 20, 1959?"

Which was agreed to by a two-thirds vote.

So the Senate reconsidered the vote by which Senate Bill No. 32 passed the Senate on April 20, 1959.

By unanimous consent, Senator Connor withdrew Senate Bill No. 32 from the further consideration of the Senate.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 23, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Inman of Orange, Williams of Hardee, Stewart of Okaloosa, Peacock of Jackson, Ayers of Hernando, Smith of DeSoto, Walker of Collier, Mattox of Polk, Craig of St. Johns, Cleveland of Seminole, Eldredge of Dade, Nash of Franklin, Askins of Nassau, Drummond of Holmes, Pruitt of Brevard, Fagan of Alachua, Griffin of Polk, Chiles of Polk, Kimbrough of Santa Rosa, Hollahan of Dade, Saunders of Clay, Shipp of Jackson, Usina of St. Johns, Crews of Baker, Wise of Okaloosa, Boyd and Knowles of Manatee, Boylston and Edmondson of Sarasota, Chappell and O'Neill of Marion,

Conner of Bradford, Costin of Gulf, Daniel and Reedy of Lake, Turlington of Alachua, Fuqua of Calhoun, Hathaway of Charlotte, Horne and Mitchell of Leon, Hosford of Liberty, Karl of Volusia, McAlpin of Hamilton, McClain of Pasco, Mitchell of Washington, Peavy of Madison, Roberts of Palm Beach, Roberts of Suwannee, Rowell of Sumter, Scott of Martin, Stallings of Duval, Strickland of Citrus, Wadsworth of Flagler, Whitaker of Hillsborough, Williams of Columbia and Mrs. Johnson of Orange—

H. B. No. 52—A bill to be entitled An Act relating to the county school system; amending paragraph (b) of Subsection (6) of Section 230.23, Florida Statutes, by providing discretionary power in the county school boards to separate the sexes; providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 52, contained in the above message, was read the first time by title only and referred to the Committee on General Legislation.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 23, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By The Committee on Insurance and Mr. Griffin of Osceola—

H. B. No. 571—A bill to be entitled An Act relating to the automobile inspection and warranty business; providing for the imposition of licenses, fees, deposits, and taxes; providing for an agency fund; providing for the disposition of the fund for the purpose of administration and defraying the cost of said program; providing for the supervision and regulation of the automobile inspection and warranty business within or relative to this state; providing for the service of process and appointment of the Insurance Commissioner as process agent; providing penalties for the violation of this act; providing for the adoption, promulgation and enforcement of rules and regulations; and providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 571, contained in the above message, was read the first time by title only and referred to the Committee on Insurance.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 23, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Mann, Liles and Whitaker of Hillsborough, and Mitchell and Horne of Leon—

H. B. No. 234—A bill to be entitled An Act to amend Sections 239.41, 239.43 and 239.44, Florida Statutes, relating to scholarship loans in the institutions of higher learning of the

State; collection or satisfaction of notes; and providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 234, contained in the above message, was read the first time by title only and referred to the Committee on Education and the Committee on Appropriations.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 23, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By the Legislative Council and Messrs. Crews of Baker, Chappell of Marion, Herrell of Dade and Ryan of Broward—

H. B. No. 147—A bill to be entitled An Act to amend Subsection (2) of Section 317.20, Florida Statutes, relating to driving while under the influence of intoxicating liquor; providing fines and jail sentences for persons convicted of driving a motor vehicle while under the influence of intoxicating liquor; and providing an effective date.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

And House Bill No. 147, contained in the above message, was read the first time by title only and referred to the Committee on Judiciary "B."

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 24, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Wadsworth of Flagler—

H. B. No. 636—A bill to be entitled An Act relating to the boundaries and corporate limits of the Town of Flagler Beach; amending Section 2 of Chapter 25829, Laws of Florida Acts of 1949, the same being An Act entitled, "An Act to abolish the present municipal government of the Town of Flagler Beach, Flagler County and State of Florida, and to establish, organize and constitute a municipality to be known and designated as the Town of Flagler Beach in the County of Flagler and State of Florida, and to define its territorial boundaries and provide for its jurisdiction, powers and privileges," by including additional territory within the boundaries and corporate limits of the Town of Flagler Beach, and providing that all property located within said boundaries or corporate limits shall be liable for all indebtedness of said town whether or not said additional territory so included was included within the said boundaries and corporate limits at the time said indebtedness was incurred; providing an effective date.

Proof of publication attached.

Also—

By Mr. Wadsworth of Flagler—

H. B. No. 637—A bill to be entitled An Act relating to coun-

ties having a population of not less than three thousand three hundred (3,300) nor more than three thousand four hundred (3,400) inhabitants, according to the latest official state-wide decennial census; authorizing the Board of Public Instruction to make direct purchases not exceeding a certain amount without first soliciting bids; providing an effective date.

Proof of publication attached.

Also—

By Mr. Miner of Hendry—

H. B. No. 638—A bill to be entitled An Act relating to the compensation of the supervisor of registration in Hendry County; providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully.

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 636 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 636, contained in the above message, was read the first time by title only.

Senator Pope moved that the rules be waived and House Bill No. 636 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 636 was read the second time by title only.

Senator Pope moved that the rules be further waived and House Bill No. 636 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 636 was read the third time in full.

Upon the passage of House Bill No. 636 the roll was called and the vote was:

Yeas—38.

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

Nays—None.

So House Bill No. 636 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 637 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 637, contained in the above message, was read the first time by title only.

Senator Pope moved that the rules be waived and House Bill No. 637 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 637 was read the second time by title only.

Senator Pope moved that the rules be further waived and

House Bill No. 637 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 637 was read the third time in full.

Upon the passage of House Bill No. 637 the roll was called and the vote was:

Yeas—38.

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

Nays—None.

So House Bill No. 637 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 638 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 638, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 24, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Harris and Barron of Bay—

H. B. No. 628—A bill to be entitled An Act to authorize and empower the Board of County Commissioners of Bay County, Florida, to appropriate the sum of three thousand five hundred (\$3,500.00) dollars from the general fund of the county to be applied toward the purchase of a bus for the use of the Bay County High School Glee Club and declaring said sum so paid to be for a county purpose; and providing an effective date.

Proof of publication attached.

Also—

By Mr. Miner of Hendry—

H. B. No. 629— A bill to be entitled An Act relating to the office of County Attorney of Hendry County, Florida; repealing Chapter 28684, Laws of Florida, 1953; providing an effective date.

Proof of publication attached.

Also—

By Mr. Strickland of Citrus—

H. B. No. 635—A bill to be entitled An Act requiring the Board of County Commissioners of Citrus County to place on the ballot of the next special or general election the question of whether or not a fire control unit will be established in said county under Sections 125.23-125.29, Florida Statutes; making a petition from owners of majority of acreage unnecessary; authorizing the county commissioners to enter agreement with forestry board after affirmative vote; and providing an effective date.



—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 628 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 628, contained in the above message, was read the first time by title only.

Senator Knight moved that the rules be waived and House Bill No. 628 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 628 was read the second time by title only.

Senator Knight moved that the rules be further waived and House Bill No. 628 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 628 was read the third time in full.

Upon the passage of House Bill No. 628 the roll was called and the vote was:

Yeas—38.

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

Nays—None.

So House Bill No. 628 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 629 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 629, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

And House Bill No. 635, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 24, 1959.

*The Honorable Dewey M. Johnson,*  
*President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Mr. Beasley of Walton—

H. B. No. 642—A bill to be entitled An Act relating to Walton County; providing supplemental compensation for school bus drivers; providing appropriation of funds; and providing an effective date.

Proof of publication attached.

Also—

By Mr. Williams of Hardee—

H. B. No. 650—A bill to be entitled An Act requiring the Board of County Commissioners of Hardee County to place on the ballot of the next special or general election the question of whether or not a fire control unit will be established in said county under Sections 125.23-125.29, Florida Statutes; making a petition from owners of majority of acreage unnecessary; making it mandatory for the county commissioners to enter agreement with Forestry Board after affirmative vote; and providing an effective date.

Also—

By Messrs. Westberry, Mathews and Stallings of Duval—

H. B. No. 655—A bill to be entitled An Act to amend Chapter 22263, Laws of Florida 1943, as amended, being an Act providing civil service for employees of Duval County, and creating a civil service board for said county, by declaring the Jacksonville-Duval County civil defense council to be a board under the County of Duval and an appointing authority under said Chapter 22263, as amended, and waiving the eligibility requirements of said Chapter 22263 and any rule promulgated thereunder as to persons who at the time this Act becomes a law are and have been in the employment of said defense council for a period of at least six months, and providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 642 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 642, contained in the above message, was read the first time by title only.

Senator Belser moved that the rules be waived and House Bill No. 642 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 642 was read the second time by title only.

Senator Belser moved that the rules be further waived and House Bill No. 642 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 642 was read the third time in full.

Upon the passage of House Bill No. 642 the roll was called and the vote was:

Yeas—38.

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

Nays—None.

So House Bill No. 642 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

And House Bill No. 650, contained in the above message, was read the first time by title only.

Senator Carlton moved that the rules be waived and House Bill No. 650 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 650 was read the second time by title only.

Senator Carlton moved that the rules be further waived and House Bill No. 650 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 650 was read the third time in full.

Upon the passage of House Bill No. 650 the roll was called and the vote was:

Yeas—38.

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

Nays—None.

So House Bill No. 650 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 655 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 655, contained in the above message, was read the first time by title only.

Senator Ripley moved that the rules be waived and House Bill No. 655 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 655 was read the second time by title only.

Senator Ripley moved that the rules be further waived and House Bill No. 655 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 655 was read the third time in full.

Upon the passage of House Bill No. 655 the roll was called and the vote was:

Yeas—38.

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

Nays—None.

So House Bill No. 655 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 24, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Barron and Harris of Bay—

H. B. No. 613—A bill to be entitled An Act creating and chartering a municipality to be known as the City of West Panama City Beach, in Bay County, Florida, and to define its territorial boundaries and to provide for its government, jurisdiction, powers, franchises and privileges; providing for a referendum; providing an effective date.

Also—

By Messrs. Westberry, Mathews and Stallings of Duval—

H. B. No. 617—A bill to be entitled An Act changing the name of "Pablo Creek" to "San Pablo River", in Duval County, Florida; and providing for an effective date.

Proof of publication attached.

Also—

By Mr. Shaffer of Pinellas—

H. B. No. 624—A bill to be entitled An Act amending Chapter 10335, Laws of Florida, Special Acts of 1925, as amended, being the Charter of the Town of Belleair, Florida, and in particular Sections 24, 25, 26 and 27 thereof relating to the issuance of bonds; to increase the purposes for which bonds may be issued; to increase debt limitations from five per cent (5%) of assessed value to twenty five per cent (25%) thereof; to provide for the issuance of bonds payable from revenues, utilities services taxes, cigarette taxes, franchise taxes, or other excise taxes, and other funds; and providing for a referendum on such amendment.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,

Chief Clerk, House of Representatives.

And House Bill No. 613, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

Proof of publication of Notice was attached to House Bill No. 617 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 617, contained in the above message, was read the first time by title only.

Senator Ripley moved that the rules be waived and House Bill No. 617 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 617 was read the second time by title only.

Senator Ripley moved that the rules be further waived and House Bill No. 617 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 617 was read the third time in full.

Upon the passage of House Bill No. 617 the roll was called and the vote was:

Yeas—38.

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

Nays—None.

So House Bill No. 617 passed, title as stated, and the action

of the Senate was ordered certified to the House of Representatives.

And House Bill No. 624, contained in the above message, was read the first time by title only and placed on the Calendar of Local Bills on Second Reading.

The following message from the House of Representatives was read:

Tallahassee, Florida,  
April 24, 1959.

*The Honorable Dewey M. Johnson,  
President of the Senate.*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Messrs. Harris and Barron of Bay—

H. B. No. 625—A bill to be entitled An Act to authorize and empower the Board of County Commissioners of Bay County, Florida, to appropriate the sum of one thousand two hundred (\$1,200) dollars from the general fund of the county to be applied toward the purchase of a bus for the use of Rosenwald High School in Bay County, Florida, and declaring all sums so paid to be for a county purpose; providing an effective date.

Proof of publication attached.

Also—

By Mr. Harris of Bay—

H. B. No. 626—A bill to be entitled An Act providing for the cancellation of all outstanding tax sales certificates held and owned by the State of Florida and Bay County, Florida, on certain lands in Bay County, Florida, owned by the United States of America and presently used as Tyndall Air Force Base and the Lynn Haven residual oil terminal; providing an effective date.

Proof of publication attached.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,

LAMAR BLEDSOE,  
Chief Clerk, House of Representatives.

Proof of publication of Notice was attached to House Bill No. 625 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 625, contained in the above message, was read the first time by title only.

Senator Knight moved that the rules be waived and House Bill No. 625 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 625 was read the second time by title only.

Senator Knight moved that the rules be further waived and House Bill No. 625 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 625 was read the third time in full.

Upon the passage of House Bill No. 625 the roll was called and the vote was:

Yeas—38.

Mr. President	Bronson	Dickinson	Hair
Adams	Carlton	Eaton	Hodges
Beall	Carraway	Edwards	Houghton
Belser	Clarke	Gautier	Johns
Boyd	Connor	Getzen	Kelly
Brackin	Cross	Gibbons	Kicliter
Branch	Davis	Gresham	Knight

Melton  
Pearce  
Pope

Price  
Rawls  
Ripley

Stenstrom  
Stratton

Sutton  
Tedder

Nays—None.

So House Bill No. 625 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

Proof of publication of Notice was attached to House Bill No. 626 when it was introduced in the Senate, and evidence that such Notice has been published was established by the Senate, as required by Section 21, Article III of the Constitution of the State of Florida.

And House Bill No. 626, contained in the above message, was read the first time by title only.

Senator Knight moved that the rules be waived and House Bill No. 626 be read the second time by title only.

Which was agreed to by a two-thirds vote.

And House Bill No. 626 was read the second time by title only.

Senator Knight moved that the rules be further waived and House Bill No. 626 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote.

And House Bill No. 626 was read the third time in full.

Upon the passage of House Bill No. 626 the roll was called and the vote was:

Yeas—38.

Mr. President	Clarke	Gresham	Pope
Adams	Connor	Hair	Price
Beall	Cross	Hodges	Rawls
Belser	Davis	Houghton	Ripley
Boyd	Dickinson	Johns	Stenstrom
Brackin	Eaton	Kelly	Stratton
Branch	Edwards	Kicliter	Sutton
Bronson	Gautier	Knight	Tedder
Carlton	Getzen	Melton	
Carraway	Gibbons	Pearce	

Nays—None.

So House Bill No. 626 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives.

#### MOTION TO RECONSIDER

The motion made by Senator Carlton on April 23, 1959, that the Senate reconsider the vote by which Committee Substitute for Senate Bill No. 16 passed the Senate on April 22, 1959, was taken up.

Com. Sub. for S. B. No. 16—A bill to be entitled An Act providing that whenever the Florida Citrus Commission determines that serious damage has resulted to citrus fruit from freezing temperatures, it shall also determine and establish maximum freeze damage of citrus fruit to be used in frozen concentrated products; providing a severability clause and fixing the effective date hereof.

The President put the question: "Will the Senate reconsider the vote by which Committee Substitute for Senate Bill No. 16 passed the Senate on April 22, 1959?"

Which was agreed to.

So the Senate reconsidered the vote by which Committee Substitute for Senate Bill No. 16 passed the Senate on April 22, 1959.

By unanimous consent, Senator Carlton, as Chairman of the Committee on Citrus Fruits, withdrew Committee Substitute for Senate Bill No. 16 from the further consideration of the Senate.

Senator Kelly moved that the rules be waived and the Senate reconsider the vote by which Senate Bill No. 248, as amended, passed the Senate on April 23, 1959.

And the motion went over under the rule.

Senator Dickinson moved that House Bill No. 434 be withdrawn from the Committee on Judiciary "A" and placed on the Calendar of Bills on Second Reading.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Davis moved that the Senate proceed to the consideration of Executive Business.

Which was agreed to.

And the Senate went into Executive Session at 11:43 o'clock A.M.

The Senate emerged from Executive Session at 11:50 o'clock A.M., and resumed its Session.

The roll was called and the following Senators answered to their names:

Mr. President	Brackin	Connor	Edwards
Adams	Branch	Cross	Gautier
Beall	Carlton	Davis	Getzen
Belser	Carraway	Dickinson	Gibbons
Boyd	Clarke	Eaton	Gresham

Hair  
Hodges  
Houghton  
Johns  
Kelly

Kicliter  
Knight  
Melton  
Pearce  
Pope

Price  
Rawls  
Ripley  
Stenstrom  
Stratton

Sutton  
Tedder

—37.

A quorum present.

Senator Davis, Chairman of the Committee on Rules and Calendar, moved that the Senate adjourn.

Which was agreed to.

And the Senate stood adjourned at 11:52 o'clock A.M., until 4:00 o'clock P.M., Monday, April 27, 1959, pursuant to the motion made this day by Senator Davis, Chairman of the Committee on Rules and Calendar, and adopted by the Senate.

#### EXECUTIVE SESSION ANNOUNCEMENT

The Senate in Executive Session on April 24, 1959, advised and consented to the following appointment made by the Governor:

T. H. Getzen, Dade City, Assistant State Attorney, Sixth Judicial Circuit, succeeding Charlie Luckie, Jr., resigned, for a term ending July 31, 1959.